

110TH CONGRESS
1ST SESSION

S. 1671

To reauthorize and improve the entrepreneurial development programs of the Small Business Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 20, 2007

Mr. KERRY (for himself and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

A BILL

To reauthorize and improve the entrepreneurial development programs of the Small Business Administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Entrepreneurial Devel-
5 opment Act of 2007”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

TITLE I—REAUTHORIZATION

Sec. 101. Reauthorization.

TITLE II—WOMEN’S SMALL BUSINESS OWNERSHIP PROGRAMS

Sec. 201. Office of Women’s Business Ownership.

Sec. 202. Women’s Business Center Program.

Sec. 203. National Women’s Business Council.

Sec. 204. Interagency Committee on Women’s Business Enterprise.

Sec. 205. Preserving the independence of the National Women’s Business Council.

TITLE III—INTERNATIONAL TRADE

Sec. 301. Small Business Administration Associate Administrator for International Trade.

Sec. 302. Office of International Trade.

TITLE IV—NATIVE AMERICAN SMALL BUSINESS DEVELOPMENT PROGRAM

Sec. 401. Short title.

Sec. 402. Native American Small Business Development Program.

Sec. 403. Pilot programs.

TITLE V—NATIONAL SMALL BUSINESS REGULATORY ASSISTANCE

Sec. 501. Short title.

Sec. 502. Purpose.

Sec. 503. Small Business Regulatory Assistance Pilot Program.

Sec. 504. Rulemaking.

TITLE VI—OTHER PROVISIONS

Sec. 601. Minority Entrepreneurship and Innovation Pilot Program.

Sec. 602. Institutions of higher education.

Sec. 603. Health insurance options information for small business concerns.

Sec. 604. National Small Business Development Center Advisory Board.

Sec. 605. Office of Native American Affairs pilot program.

Sec. 606. Privacy requirements for SCORE chapters.

Sec. 607. National Small Business Summit.

1 **SEC. 3. DEFINITIONS.**

2 In this Act—

3 (1) the terms “Administration” and “Adminis-
 4 trator” mean the Small Business Administration
 5 and the Administrator thereof, respectively; and

1 (2) the term “small business concern” has the
 2 meaning given that term in section 3 of the Small
 3 Business Act (15 U.S.C. 632).

4 **TITLE I—REAUTHORIZATION**

5 **SEC. 101. REAUTHORIZATION.**

6 (a) IN GENERAL.—Section 20 of the Small Business
 7 Act (15 U.S.C. 631 note) is amended—

8 (1) by striking subsections (d), (e), and (j); and

9 (2) by adding at the end the following:

10 “(d) SCORE PROGRAM.—There are authorized to be
 11 appropriated to the Administrator to carry out the Service
 12 Corps of Retired Executives program authorized by sec-
 13 tion 8(b)(1) such sums as are necessary for the Adminis-
 14 trator to make grants or enter into cooperative agreements
 15 for a total of—

16 “(1) \$7,000,000 in fiscal year 2008;

17 “(2) \$8,000,000 in fiscal year 2009; and

18 “(3) \$9,000,000 in fiscal year 2010”.

19 (b) SMALL BUSINESS DEVELOPMENT CENTERS.—
 20 Section 21 of the Small Business Act (15 U.S.C. 648) is
 21 amended—

22 (1) in subsection (a)(4)(C), by amending clause
 23 (vii) to read as follows:

1 “(vii) AUTHORIZATION OF APPROPRIA-
 2 TIONS.—There are authorized to be appro-
 3 priated to carry out this subparagraph—

4 “(I) \$135,000,000 for fiscal year
 5 2008;

6 “(II) \$140,000,000 for fiscal
 7 year 2009; and

8 “(III) \$145,000,000 for fiscal
 9 year 2010.”; and

10 (2) in subsection (c)(3)(T), by striking “Octo-
 11 ber 1, 2006” and inserting “October 1, 2010”.

12 (3) PAUL D. COVERDELL DRUG-FREE WORK-
 13 PLACE PROGRAM.—

14 (A) IN GENERAL.—Section 27(g) of the
 15 Small Business Act (15 U.S.C. 654(g)) is
 16 amended—

17 (i) in paragraph (1), by striking “fis-
 18 cal years 2005 and 2006” and inserting
 19 “fiscal years 2008 through 2010”; and

20 (ii) in paragraph (2), by striking “fis-
 21 cal years 2005 and 2006” and inserting
 22 “fiscal years 2008 through 2010”.

23 (B) CONFORMING AMENDMENT.—Section
 24 21(c)(3)(T) of the Small Business Act (15
 25 U.S.C. 648(c)(3)(T)) is amended by striking

1 “October 1, 2006” and inserting “October 1,
2 2010”.

3 **TITLE II—WOMEN’S SMALL BUSI-** 4 **NESS OWNERSHIP PROGRAMS**

5 **SEC. 201. OFFICE OF WOMEN’S BUSINESS OWNERSHIP.**

6 Section 29(g) of the Small Business Act (15 U.S.C.
7 656(g)) is amended—

8 (1) in paragraph (2)—

9 (A) in subparagraph (B)(i), by striking “in
10 the areas” and all that follows through the end
11 of subclause (I), and inserting the following: “to
12 address issues concerning management, oper-
13 ations, manufacturing, technology, finance, re-
14 tail and product sales, international trade, and
15 other disciplines required for—

16 “(I) starting, operating, and
17 growing a small business concern;”;
18 and

19 (B) in subparagraph (C), by inserting be-
20 fore the period at the end the following: “, the
21 National Women’s Business Council, and any
22 association of women’s business centers”; and

23 (2) by adding at the end the following:

24 “(3) PROGRAMS AND SERVICES FOR WOMEN-
25 OWNED SMALL BUSINESSES.—The Assistant Admin-

1 istrator, in consultation with the National Women’s
 2 Business Council, the Interagency Committee on
 3 Women’s Business Enterprise, and 1 or more asso-
 4 ciations of women’s business centers, shall develop
 5 programs and services for women-owned businesses
 6 (as defined in section 408 of the Women’s Business
 7 Ownership Act of 1988 (15 U.S.C. 631 note)) in
 8 business areas, which may include—

9 “(A) manufacturing;

10 “(B) technology;

11 “(C) professional services;

12 “(D) retail and product sales;

13 “(E) travel and tourism;

14 “(F) international trade; and

15 “(G) Federal Government contract busi-
 16 ness development.

17 “(4) TRAINING.—The Administrator shall pro-
 18 vide annual programmatic and financial oversight
 19 training for women’s business ownership representa-
 20 tives and district office technical representatives of
 21 the Administration to enable representatives to carry
 22 out their responsibilities under this section.

23 “(5) GRANT PROGRAM AND TRANSPARENCY IM-
 24 PROVEMENTS.—The Administrator shall improve the
 25 transparency of the women’s business center grant

proposal process and the programmatic and financial oversight process by—

“(A) providing notice to the public of each women’s business center grant announcement for an initial and renewal grant, not later than 6 months before awarding such grant;

“(B) providing notice to grant applicants and recipients of program evaluation and award criteria, not later than 12 months before any such evaluation;

“(C) reducing paperwork and reporting requirements for grant applicants and recipients;

“(D) standardizing the oversight and review process of the Administration; and

“(E) providing to each women’s business center, not later than 30 days after the completion of a site visit at that center, a copy of site visit reports and evaluation reports prepared by district office technical representatives or Administration officials.”.

SEC. 202. WOMEN’S BUSINESS CENTER PROGRAM.

(a) WOMEN’S BUSINESS CENTER GRANTS PROGRAM.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(1) in subsection (a)—

1 (A) by redesignating paragraphs (2), (3),
 2 and (4), as paragraphs (3), (4), and (5), re-
 3 spectively; and

4 (B) by inserting after paragraph (1) the
 5 following:

6 “(2) the term ‘association of women’s business
 7 centers’ means an organization that represents not
 8 fewer than 30 percent of the women’s business cen-
 9 ters that are participating in a program under this
 10 section, and whose primary purpose is to represent
 11 women’s business centers;”;

12 (2) in subsection (b)—

13 (A) by redesignating paragraphs (1), (2),
 14 and (3) as subparagraphs (A), (B), and (C),
 15 and adjusting the margins accordingly;

16 (B) by striking “The Administration” and
 17 inserting the following:

18 “(1) IN GENERAL.—The Administration”;

19 (C) by striking “The projects shall” and
 20 inserting the following:

21 “(2) USE OF FUNDS.—The projects shall”; and

22 (D) by adding at the end the following:

23 “(3) AMOUNT OF GRANTS.—

1 “(A) IN GENERAL.—The Administrator
2 may award a grant under this subsection of not
3 more than \$150,000 per year.

4 “(B) EQUAL ALLOCATIONS.—In the event
5 that the Administration has insufficient funds
6 to provide grants of \$150,000 for each grant
7 recipient under this subsection in any fiscal
8 year, available funds shall be allocated equally
9 to grant recipients, unless any recipient re-
10 quests a lower amount than the allocable
11 amount.

12 “(4) ASSOCIATIONS OF WOMEN’S BUSINESS
13 CENTERS.—

14 “(A) RECOGNITION.—The Administrator
15 shall recognize the existence and activities of
16 any association of women’s business centers es-
17 tablished to address matters of common con-
18 cern.

19 “(B) CONSULTATION.—The Administrator
20 shall consult with each association of women’s
21 business centers to develop—

22 “(i) a training program for the staff
23 of the women’s business centers and the
24 Administration; and

1 “(ii) recommendations to improve the
 2 policies and procedures for governing the
 3 general operations and administration of
 4 the Women’s Business Center Program, in-
 5 cluding grant program improvements
 6 under subsection (g)(5).”.

7 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

8 (1) IN GENERAL.—Section 29 of the Small
 9 Business Act (15 U.S.C. 656) is amended—

10 (A) in subsection (h)(2), by striking “to
 11 award a contract (as a sustainability grant)
 12 under subsection (l) or”;

13 (B) in subsection (j)(1), by striking “The
 14 Administration” and inserting “Not later than
 15 November 1st of each year, the Administrator”;
 16 and

17 (C) in subsection (k)—

18 (i) by striking paragraphs (1) and (2)
 19 and inserting the following:

20 “(1) IN GENERAL.—There are authorized to be
 21 appropriated to the Administration to carry out this
 22 section, to remain available until expended—

23 “(A) \$15,000,000 for fiscal year 2008;

24 “(B) \$16,000,000 for fiscal year 2009; and

25 “(C) \$17,500,000 for fiscal year 2010.

1 “(2) ALLOCATION.—Of amounts made available
2 pursuant to paragraph (1), the Administrator shall
3 use not less than 60 percent for grants under sub-
4 section (m).

5 “(3) USE OF AMOUNTS.—Amounts made avail-
6 able under this subsection may only be used for
7 grant awards and may not be used for costs incurred
8 by the Administration in connection with the man-
9 agement and administration of the program under
10 this section.”; and

11 (ii) by striking paragraph (4).

12 (2) RENEWAL GRANTS.—

13 (A) IN GENERAL.—Section 29 of the Small
14 Business Act (15 U.S.C. 656) is amended by
15 redesignating subsections (m) and (n) as sub-
16 sections (l) and (m), respectively.

17 (B) REFERENCE.—Subsection (l)(4)(D) of
18 section 29 of the Small Business Act (15
19 U.S.C. 656), as redesignated by subparagraph
20 (A) of this paragraph, is amended by striking
21 “or subsection (l)”.

22 (C) ALLOCATION.—Section 29(k)(2) of the
23 Small Business Act (15 U.S.C. 656(k)(2)), as
24 amended by this Act, is amended by striking

1 “subsection (m)” and inserting “subsection
2 (l)”.

3 (D) EFFECTIVE DATE.—The amendments
4 made by this paragraph shall take effect on the
5 day after the effective date of the amendments
6 made by section 8305(b) of the Small Business
7 and Work Opportunity Act of 2007 (Public
8 Law 110–28) (striking subsection (l)).

9 **SEC. 203. NATIONAL WOMEN’S BUSINESS COUNCIL.**

10 (a) COSPONSORSHIP AUTHORITY.—Section 406 of
11 the Women’s Business Ownership Act of 1988 (15 U.S.C.
12 7106) is amended by adding at the end the following:

13 “(f) COSPONSORSHIP AUTHORITY.—The Council is
14 authorized to enter into agreements as a cosponsor with
15 public and private entities, in the same manner as is pro-
16 vided in section 8(b)(1)(A) of the Small Business Act (15
17 U.S.C. 637(b)(1)(A)), to carry out its duties under this
18 section.”.

19 (b) MEMBERSHIP.—Section 407(f) of the Women’s
20 Business Ownership Act of 1988 (15 U.S.C. 7107(f)) is
21 amended by adding at the end the following:

22 “(3) REPRESENTATION OF MEMBER ORGANIZA-
23 TIONS.—In consultation with the chairperson of the
24 Council and the Administrator, a national women’s
25 business organization or small business concern that

1 is represented on the Council may replace its rep-
 2 resentative member on the Council during the serv-
 3 ice term to which that member was appointed.”.

4 (c) ESTABLISHMENT OF WORKING GROUPS.—Title
 5 IV of the Women’s Business Ownership Act of 1988 (15
 6 U.S.C. 7101 et seq.) is amended by inserting after section
 7 410, the following new section:

8 **“SEC. 411. WORKING GROUPS.**

9 “(a) ESTABLISHMENT.—There are established within
 10 the Council, working groups, as directed by the chair-
 11 person.

12 “(b) DUTIES.—The working groups established
 13 under subsection (a) shall perform such duties as the
 14 chairperson shall direct.”.

15 (d) CLEARINGHOUSE FOR HISTORICAL DOCU-
 16 MENTS.—Section 409 of the Women’s Business Owner-
 17 ship Act of 1988 (15 U.S.C. 7109) is amended by adding
 18 at the end the following:

19 “(c) CLEARINGHOUSE FOR HISTORICAL DOCU-
 20 MENTS.—The Council shall serve as a clearinghouse for
 21 information on small businesses owned and controlled by
 22 women, including research conducted by other organiza-
 23 tions and individuals relating to ownership by women of
 24 small business concerns in the United States.”.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
 2 410(a) of the Women’s Business Ownership Act of 1988
 3 (15 U.S.C. 7110(a)) is amended by striking “2001
 4 through 2003, of which \$550,000” and inserting “2008
 5 through 2010, of which not less than 30 percent”.

6 **SEC. 204. INTERAGENCY COMMITTEE ON WOMEN’S BUSI-**
 7 **NESS ENTERPRISE.**

8 (a) CHAIRPERSON.—Section 403(b) of the Women’s
 9 Business Ownership Act of 1988 (15 U.S.C. 7103(b)) is
 10 amended—

11 (1) by striking “Not later” and inserting the
 12 following:

13 “(1) IN GENERAL.—Not later”; and

14 (2) by adding at the end the following:

15 “(2) VACANCY.—In the event that a chair-
 16 person is not appointed under paragraph (1), the
 17 Deputy Administrator of the Small Business Admin-
 18 istration shall serve as acting chairperson of the
 19 Interagency Committee until a chairperson is ap-
 20 pointed under paragraph (1).”.

21 (b) POLICY ADVISORY GROUP.—Section 401 of the
 22 Women’s Business Ownership Act of 1988 (15 U.S.C.
 23 7101) is amended—

24 (1) by striking “There” and inserting the fol-
 25 lowing:

1 “(a) IN GENERAL.—There”; and

2 (2) by adding at the end the following:

3 “(b) POLICY ADVISORY GROUP.—

4 “(1) ESTABLISHMENT.—There is established a
5 Policy Advisory Group to assist the chairperson in
6 developing policies and programs under this Act.

7 “(2) MEMBERSHIP.—The Policy Advisory
8 Group shall be composed of 7 policy making offi-
9 cials, of whom—

10 “(A) 1 shall be a representative of the
11 Small Business Administration;

12 “(B) 1 shall be a representative of the De-
13 partment of Commerce;

14 “(C) 1 shall be a representative of the De-
15 partment of Labor;

16 “(D) 1 shall be a representative of the De-
17 partment of Defense;

18 “(E) 1 shall be a representative of the De-
19 partment of the Treasury; and

20 “(F) 2 shall be representatives of the
21 Council.”.

22 **SEC. 205. PRESERVING THE INDEPENDENCE OF THE NA-**
23 **TIONAL WOMEN’S BUSINESS COUNCIL.**

24 (a) FINDINGS.—Congress finds the following:

1 (1) The National Women’s Business Council
2 provides an independent source of advice and policy
3 recommendations regarding women’s business devel-
4 opment and the needs of women entrepreneurs in
5 the United States to—

6 (A) the President;

7 (B) Congress;

8 (C) the Interagency Committee on Wom-
9 en’s Business Enterprise; and

10 (D) the Administrator.

11 (2) The members of the National Women’s
12 Business Council are small business owners, rep-
13 resentatives of business organizations, and rep-
14 resentatives of women’s business centers.

15 (3) The chair and ranking member of the Com-
16 mittee on Small Business and Entrepreneurship of
17 the Senate and the Committee on Small Business of
18 the House of Representatives make recommenda-
19 tions to the Administrator to fill 8 of the positions
20 on the National Women’s Business Council. Four of
21 the positions are reserved for small business owners
22 who are affiliated with the political party of the
23 President and 4 of the positions are reserved for
24 small business owners who are not affiliated with the
25 political party of the President. This method of ap-

1 pointment ensures that the National Women’s Busi-
2 ness Council will provide Congress with nonpartisan,
3 balanced, and independent advice.

4 (4) In order to maintain the independence of
5 the National Women’s Business Council and to en-
6 sure that the Council continues to provide Congress
7 with advice on a nonpartisan basis, it is essential
8 that the Council maintain the bipartisan balance es-
9 tablished under section 407 of the Women’s Busi-
10 ness Ownership Act of 1988 (15 U.S.C. 7107).

11 (b) MAINTENANCE OF PARTISAN BALANCE.—Section
12 407(f) of the Women’s Business Ownership Act of 1988
13 (15 U.S.C. 7107(f)), as amended by this Act, is amended
14 by adding at the end the following:

15 “(4) PARTISAN BALANCE.—When filling a va-
16 cancy under paragraph (1) of this subsection of a
17 member appointed under paragraph (1) or (2) of
18 subsection (b), the Administrator shall, to the extent
19 practicable, ensure that there are an equal number
20 of members on the Council from each of the 2 major
21 political parties.

22 “(5) ACCOUNTABILITY.—If a vacancy is not
23 filled within the 30-day period required under para-
24 graph (1), or if there exists an imbalance of party-
25 affiliated members on the Council for a period ex-

ceeding 30 days, the Administrator shall submit a report, not later than 10 days after the expiration of either such 30-day deadline, to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives, that explains why the respective deadline was not met and provides an estimated date on which any vacancies will be filled, as applicable.”.

TITLE III—INTERNATIONAL TRADE

SEC. 301. SMALL BUSINESS ADMINISTRATION ASSOCIATE ADMINISTRATOR FOR INTERNATIONAL TRADE.

(a) ESTABLISHMENT.—Section 22(a) of the Small Business Act (15 U.S.C. 649(a)) is amended by adding at the end the following: “The head of the Office shall be the Associate Administrator for International Trade, who shall be responsible to the Administrator.”.

(b) AUTHORITY FOR ADDITIONAL ASSOCIATE ADMINISTRATOR.—Section 4(b)(1) of the Small Business Act (15 U.S.C. 633(b)(1)) is amended—

(1) in the fifth sentence, by striking “five Associate Administrators” and inserting “Associate Administrators”; and

1 (2) by adding at the end the following: “One of
2 the Associate Administrators shall be the Associate
3 Administrator for International Trade, who shall be
4 the head of the Office of International Trade estab-
5 lished under section 22.”.

6 (c) DISCHARGE OF ADMINISTRATION INTER-
7 NATIONAL TRADE RESPONSIBILITIES.—Section 22 of the
8 Small Business Act (15 U.S.C. 649) is amended by adding
9 at the end the following:

10 “(h) DISCHARGE OF ADMINISTRATION INTER-
11 NATIONAL TRADE RESPONSIBILITIES.—The Adminis-
12 trator shall ensure that—

13 “(1) the responsibilities of the Administration
14 regarding international trade are carried out
15 through the Associate Administrator for Inter-
16 national Trade;

17 “(2) the Associate Administrator for Inter-
18 national Trade has sufficient resources to carry out
19 such responsibilities; and

20 “(3) the Associate Administrator for Inter-
21 national Trade has direct supervision and control
22 over the staff of the Office of International Trade,
23 and over any employee of the Administration whose
24 principal duty station is a United States Export As-
25 sistance Center or any successor entity.”.

1 (d) ROLE OF ASSOCIATE ADMINISTRATOR IN CAR-
 2 RYING OUT INTERNATIONAL TRADE POLICY.—Section
 3 2(b)(1) of the Small Business Act (15 U.S.C. 631(b)(1))
 4 is amended in the matter preceding subparagraph (A)—

5 (1) by inserting “the Administrator of” before
 6 “the Small Business Administration”; and

7 (2) by inserting “through the Associate Admin-
 8 istrator for International Trade, and” before “in co-
 9 operation with”.

10 (e) TECHNICAL AMENDMENT.—Section 22(c)(5) of
 11 the Small Business Act (15 U.S.C. 649(c)(5)) is amended
 12 by striking the period at the end and inserting a semi-
 13 colon.

14 (f) EFFECTIVE DATE.—Not later than 90 days after
 15 the date of enactment of this Act, the Administrator shall
 16 appoint an Associate Administrator for International
 17 Trade under section 22 of the Small Business Act (15
 18 U.S.C. 649), as amended by this section.

19 **SEC. 302. OFFICE OF INTERNATIONAL TRADE.**

20 Section 22 of the Small Business Act (15 U.S.C. 649)
 21 is amended—

22 (1) by striking “SEC. 22. (a) There” and in-
 23 serting the following:

24 **“SEC. 22. OFFICE OF INTERNATIONAL TRADE.**

25 **“(a) ESTABLISHMENT.—There”.**

1 (2) in subsection (a), by inserting “(referred to
2 in this section as the ‘Office’),” after “Trade”;

3 (3) in subsection (b)—

4 (A) by striking “The Office” and inserting
5 the following:

6 “(b) TRADE DISTRIBUTION NETWORK.—The Office,
7 including United States Export Assistance Centers (re-
8 ferred to as ‘one-stop shops’ in section 2301(b)(8) of the
9 Omnibus Trade and Competitiveness Act of 1988 (15
10 U.S.C. 4721(b)(8)) and as ‘export centers’ in this sec-
11 tion)”;

12 (B) by amending paragraph (1) to read as
13 follows:

14 “(1) assist in maintaining a distribution net-
15 work using regional and local offices of the Adminis-
16 tration, the small business development center net-
17 work, the women’s business center network, and ex-
18 port centers for—

19 “(A) trade promotion;

20 “(B) trade finance;

21 “(C) trade adjustment;

22 “(D) trade remedy assistance; and

23 “(E) trade data collection.”;

24 (4) in subsection (c)—

1 (A) by redesignating paragraphs (1)
 2 through (8) as paragraphs (2) through (9), re-
 3 spectively;

4 (B) by inserting before paragraph (2), as
 5 so redesignated, the following:

6 “(1) establish annual goals for the Office relat-
 7 ing to—

8 “(A) enhancing the exporting capability of
 9 small business concerns and small manufactur-
 10 ers;

11 “(B) facilitating technology transfers;

12 “(C) enhancing programs and services to
 13 assist small business concerns and small manu-
 14 facturers to compete effectively and efficiently
 15 against foreign entities;

16 “(D) increasing the access to capital by
 17 small business concerns;

18 “(E) disseminating information concerning
 19 Federal, State, and private programs and initia-
 20 tives; and

21 “(F) ensuring that the interests of small
 22 business concerns are adequately represented in
 23 trade negotiations;”;

24 (C) in paragraph (2), as so redesignated,
 25 by striking “mechanism for” and all that fol-

1 lows through “(D)” and inserting the following:
2 “mechanism for—
3 “(A) identifying subsectors of the small
4 business community with strong export poten-
5 tial;
6 “(B) identifying areas of demand in for-
7 eign markets;
8 “(C) prescreening foreign buyers for com-
9 mercial and credit purposes; and
10 “(D)”; and
11 (D) in paragraph (9), as so redesignated—
12 (i) in the matter preceding subpara-
13 graph (A)—
14 (I) by striking “full-time export
15 development specialists to each Ad-
16 ministration regional office and as-
17 signing”; and
18 (II) by striking “office. Such spe-
19 cialists” and inserting “office and pro-
20 viding each Administration regional
21 office with a full-time export develop-
22 ment specialist, who”;
23 (ii) in subparagraph (D), by striking
24 “and” at the end;

1 (iii) in subparagraph (E), by striking
 2 the period at the end and inserting a semi-
 3 colon; and

4 (iv) by adding at the end the fol-
 5 lowing:

6 “(F) participate jointly with employees of
 7 the Office in an annual training program that
 8 focuses on current small business needs for ex-
 9 porting; and

10 “(G) jointly develop and conduct training
 11 programs for exporters and lenders in coopera-
 12 tion with the United States Export Assistance
 13 Centers, the Department of Commerce, small
 14 business development centers, and other rel-
 15 evant Federal agencies.”;

16 (5) in subsection (d)—

17 (A) by inserting “EXPORT FINANCING
 18 PROGRAMS.—” after “(d)”;

19 (B) by redesignating paragraphs (1)
 20 through (5) as clauses (i) through (v), respec-
 21 tively, and adjusting the margins accordingly;

22 (C) by striking “The Office shall work in
 23 cooperation” and inserting the following:

24 “(1) IN GENERAL.—The Office shall work in
 25 cooperation”; and

1 (D) by striking “To accomplish this goal,
 2 the Office shall work” and inserting the fol-
 3 lowing:

4 “(2) TRADE FINANCIAL SPECIALIST.—To ac-
 5 complish the goal established under paragraph (1),
 6 the Office shall—

7 “(A) designate at least 1 individual within
 8 the Administration as a trade financial spe-
 9 cialist to oversee international loan programs
 10 and assist Administration employees with trade
 11 finance issues; and

12 “(B) work”;

13 (6) in subsection (e), by inserting “TRADE
 14 REMEDIES.—” after “(e)”;

15 (7) by amending subsection (f) to read as fol-
 16 lows:

17 “(f) REPORTING REQUIREMENT.—The Office shall
 18 submit an annual report to the Committee on Small Busi-
 19 ness and Entrepreneurship of the Senate and the Com-
 20 mittee on Small Business of the House of Representatives
 21 that contains—

22 “(1) a description of the progress of the Office
 23 in implementing the requirements of this section;

1 “(2) the destinations of travel by Office staff
2 and benefits to the Administration and to small
3 business concerns therefrom; and

4 “(3) a description of the participation by the
5 Office in trade negotiations.”;

6 (8) in subsection (g), by inserting “STUD-
7 IES.—” after “(g)”; and

8 (9) by adding at the end the following:

9 “(i) EXPORT ASSISTANCE CENTERS.—

10 “(1) IN GENERAL.—During the period begin-
11 ning on October 1, 2007, and ending on September
12 30, 2010, the Administrator shall ensure that the
13 number of full-time equivalent employees of the Of-
14 fice assigned to the one-stop shops referred to in
15 section 2301(b) of the Omnibus Trade and Competi-
16 tiveness Act of 1988 (15 U.S.C. 4721 (b)) is not less
17 than the number of such employees so assigned on
18 January 1, 2003.

19 “(2) PRIORITY OF PLACEMENT.—Priority shall
20 be given, to the maximum extent practicable, to
21 placing employees of the Administration at any Ex-
22 port Assistance Center that—

23 “(A) had an Administration employee as-
24 signed to such center before January 2003; and

1 “(B) has not had an Administration em-
 2 ployee assigned to such center during the period
 3 beginning January 2003, and ending on the
 4 date of enactment of this subsection, either
 5 through retirement or reassignment.

6 “(3) NEEDS OF EXPORTERS.—The Adminis-
 7 trator shall, to the maximum extent practicable,
 8 strategically assign Administration employees to Ex-
 9 port Assistance Centers, based on the needs of ex-
 10 porters.

11 “(4) GOALS.—The Office shall work with the
 12 Department of Commerce and the Export-Import
 13 Bank to establish shared annual goals for the Ex-
 14 port Centers.

15 “(5) OVERSIGHT.—The Office shall designate
 16 an individual within the Administration to oversee
 17 all activities conducted by Administration employees
 18 assigned to Export Centers.”.

19 **TITLE IV—NATIVE AMERICAN**
 20 **SMALL BUSINESS DEVELOP-**
 21 **MENT PROGRAM**

22 **SEC. 401. SHORT TITLE.**

23 This title may be cited as the “Native American
 24 Small Business Development Act of 2007”.

1 **SEC. 402. NATIVE AMERICAN SMALL BUSINESS DEVELOP-**
 2 **MENT PROGRAM.**

3 The Small Business Act (15 U.S.C. 631 et seq.) is
 4 amended—

5 (1) by redesignating section 37 as section 38;

6 and

7 (2) by inserting after section 36 the following:

8 **“SEC. 37. NATIVE AMERICAN SMALL BUSINESS DEVELOP-**
 9 **MENT PROGRAM.**

10 “(a) DEFINITIONS.—In this section—

11 “(1) the term ‘Alaska Native’ has the same
 12 meaning as the term ‘Native’ in section 3(b) of the
 13 Alaska Native Claims Settlement Act (43 U.S.C.
 14 1602(b));

15 “(2) the term ‘Alaska Native corporation’ has
 16 the same meaning as the term ‘Native Corporation’
 17 in section 3(m) of the Alaska Native Claims Settle-
 18 ment Act (43 U.S.C. 1602(m));

19 “(3) the term ‘Assistant Administrator’ means
 20 the Assistant Administrator of the Office of Native
 21 American Affairs established under subsection (b);

22 “(4) the terms ‘center’ and ‘Native American
 23 business center’ mean a center established under
 24 subsection (c);

25 “(5) the term ‘Native American business devel-
 26 opment center’ means an entity providing business

1 development assistance to federally recognized tribes
2 and Native Americans under a grant from the Mi-
3 nority Business Development Agency of the Depart-
4 ment of Commerce;

5 “(6) the term ‘Native American small business
6 concern’ means a small business concern that is
7 owned and controlled by—

8 “(A) a member of an Indian tribe or tribal
9 government;

10 “(B) an Alaska Native or Alaska Native
11 corporation; or

12 “(C) a Native Hawaiian or Native Hawai-
13 ian Organization;

14 “(7) the term ‘Native Hawaiian’ has the same
15 meaning as in section 625 of the Older Americans
16 Act of 1965 (42 U.S.C. 3057k);

17 “(8) the term ‘Native Hawaiian Organization’
18 has the same meaning as in section 8(a)(15);

19 “(9) the term ‘tribal college’ has the same
20 meaning as the term ‘tribally controlled college or
21 university’ has in section 2(a)(4) of the Tribally
22 Controlled Community College Assistance Act of
23 1978 (25 U.S.C. 1801(a)(4));

1 “(10) the term ‘tribal government’ has the
 2 same meaning as the term ‘Indian tribe’ has in sec-
 3 tion 7501(a)(9) of title 31, United States Code; and

4 “(11) the term ‘tribal lands’ means all lands
 5 within the exterior boundaries of any Indian reserva-
 6 tion.

7 “(b) OFFICE OF NATIVE AMERICAN AFFAIRS.—

8 “(1) ESTABLISHMENT.—There is established
 9 within the Administration the Office of Native
 10 American Affairs, which, under the direction of the
 11 Assistant Administrator, shall implement the Admin-
 12 istration’s programs for the development of business
 13 enterprises by Native Americans.

14 “(2) PURPOSE.—The purpose of the Office of
 15 Native American Affairs is to assist Native Amer-
 16 ican entrepreneurs to—

17 “(A) start, operate, and grow small busi-
 18 ness concerns;

19 “(B) develop management and technical
 20 skills;

21 “(C) seek Federal procurement opportuni-
 22 ties;

23 “(D) increase employment opportunities
 24 for Native Americans through the start and ex-
 25 pansion of small business concerns; and

1 “(E) increase the access of Native Ameri-
2 cans to capital markets.

3 “(3) ASSISTANT ADMINISTRATOR.—

4 “(A) APPOINTMENT.—The Administrator
5 shall appoint a qualified individual to serve as
6 Assistant Administrator of the Office of Native
7 American Affairs in accordance with this para-
8 graph.

9 “(B) QUALIFICATIONS.—The Assistant
10 Administrator appointed under subparagraph
11 (A) shall have—

12 “(i) knowledge of the Native Amer-
13 ican culture; and

14 “(ii) experience providing culturally
15 tailored small business development assist-
16 ance to Native Americans.

17 “(C) EMPLOYMENT STATUS.—The Assist-
18 ant Administrator shall be a Senior Executive
19 Service position under section 3132(a)(2) of
20 title 5, United States Code, and shall serve as
21 a noncareer appointee, as defined in section
22 3132(a)(7) of title 5, United States Code.

23 “(D) RESPONSIBILITIES AND DUTIES.—
24 The Assistant Administrator shall—

1 “(i) administer and manage the Na-
 2 tive American Small Business Development
 3 program established under this section;

4 “(ii) recommend the annual adminis-
 5 trative and program budgets for the Office
 6 of Native American Affairs;

7 “(iii) consult with Native American
 8 business centers in carrying out the pro-
 9 gram established under this section;

10 “(iv) recommend appropriate funding
 11 levels;

12 “(v) review the annual budgets sub-
 13 mitted by each applicant for the Native
 14 American Small Business Development
 15 program;

16 “(vi) select applicants to participate in
 17 the program under this section;

18 “(vii) implement this section; and

19 “(viii) maintain a clearinghouse to
 20 provide for the dissemination and exchange
 21 of information between Native American
 22 business centers.

23 “(E) CONSULTATION REQUIREMENTS.—In
 24 carrying out the responsibilities and duties de-
 25 scribed in this paragraph, the Assistant Admin-

1 istrator shall confer with and seek the advice
2 of—

3 “(i) Administration officials working
4 in areas served by Native American busi-
5 ness centers and Native American business
6 development centers;

7 “(ii) representatives of tribal govern-
8 ments;

9 “(iii) tribal colleges;

10 “(iv) Alaska Native corporations; and

11 “(v) Native Hawaiian Organizations.

12 “(c) NATIVE AMERICAN SMALL BUSINESS DEVELOP-
13 MENT PROGRAM.—

14 “(1) AUTHORIZATION.—

15 “(A) IN GENERAL.—The Administration,
16 through the Office of Native American Affairs,
17 shall provide financial assistance to tribal gov-
18 ernments, tribal colleges, Native Hawaiian Or-
19 ganizations, and Alaska Native corporations to
20 create Native American business centers in ac-
21 cordance with this section.

22 “(B) USE OF FUNDS.—The financial and
23 resource assistance provided under this sub-
24 section shall be used to overcome obstacles im-
25 peding the creation, development, and expan-

sion of small business concerns, in accordance
with this section, by—

“(i) reservation-based American Indians;
ans;

“(ii) Alaska Natives; and

“(iii) Native Hawaiians.

“(2) 5-YEAR PROJECTS.—

“(A) IN GENERAL.—Each Native American business center that receives assistance under paragraph (1)(A) shall conduct a 5-year project that offers culturally tailored business development assistance in the form of—

“(i) financial education, including
training and counseling in—

“(I) applying for and securing
business credit and investment capital;
ital;

“(II) preparing and presenting financial statements; and

“(III) managing cash flow and
other financial operations of a business concern;
ness concern;

“(ii) management education, including
training and counseling in planning, organizing, staffing, directing, and controlling

1 each major activity and function of a small
2 business concern; and

3 “(iii) marketing education, including
4 training and counseling in—

5 “(I) identifying and segmenting
6 domestic and international market op-
7 portunities;

8 “(II) preparing and executing
9 marketing plans;

10 “(III) developing pricing strate-
11 gies;

12 “(IV) locating contract opportu-
13 nities;

14 “(V) negotiating contracts; and

15 “(VI) utilizing varying public re-
16 lations and advertising techniques.

17 “(B) BUSINESS DEVELOPMENT ASSIST-
18 ANCE RECIPIENTS.—The business development
19 assistance under subparagraph (A) shall be of-
20 fered to prospective and current owners of small
21 business concerns that are owned by—

22 “(i) American Indians or tribal gov-
23 ernments, and located on or near tribal
24 lands;

1 “(ii) Alaska Natives or Alaska Native
2 corporations; or

3 “(iii) Native Hawaiians or Native Ha-
4 waiian Organizations.

5 “(3) FORM OF FEDERAL FINANCIAL ASSIST-
6 ANCE.—

7 “(A) DOCUMENTATION.—

8 “(i) IN GENERAL.—The financial as-
9 sistance to Native American business cen-
10 ters authorized under this subsection may
11 be made by grant, contract, or cooperative
12 agreement.

13 “(ii) EXCEPTION.—Financial assist-
14 ance under this subsection to Alaska Na-
15 tive corporations or Native Hawaiian Or-
16 ganizations may only be made by grant.

17 “(B) PAYMENTS.—

18 “(i) TIMING.—Payments made under
19 this subsection may be disbursed in an an-
20 nual lump sum or in periodic installments,
21 at the request of the recipient.

22 “(ii) ADVANCE.—The Administration
23 may disburse not more than 25 percent of
24 the annual amount of Federal financial as-
25 sistance awarded to a Native American

1 small business center after notice of the
2 award has been issued.

3 “(iii) NO MATCHING REQUIREMENT.—

4 The Administration shall not require a
5 grant recipient to match grant funding re-
6 ceived under this subsection with non-Fed-
7 eral resources as a condition of receiving
8 the grant.

9 “(4) CONTRACT AND COOPERATIVE AGREE-
10 MENT AUTHORITY.—A Native American business
11 center may enter into a contract or cooperative
12 agreement with a Federal department or agency to
13 provide specific assistance to Native American and
14 other underserved small business concerns located on
15 or near tribal lands, to the extent that such contract
16 or cooperative agreement is consistent with the
17 terms of any assistance received by the Native
18 American business center from the Administration.

19 “(5) APPLICATION PROCESS.—

20 “(A) SUBMISSION OF A 5-YEAR PLAN.—

21 Each applicant for assistance under paragraph
22 (1) shall submit a 5-year plan to the Adminis-
23 tration on proposed assistance and training ac-
24 tivities.

25 “(B) CRITERIA.—

1 “(i) IN GENERAL.—The Administra-
 2 tion shall evaluate and rank applicants in
 3 accordance with predetermined selection
 4 criteria that shall be stated in terms of rel-
 5 ative importance.

6 “(ii) PUBLIC NOTICE.—The criteria
 7 required by this paragraph and their rel-
 8 ative importance shall be made publicly
 9 available, within a reasonable time, and
 10 stated in each solicitation for applications
 11 made by the Administration.

12 “(iii) CONSIDERATIONS.—The criteria
 13 required by this paragraph shall include—

14 “(I) the experience of the appli-
 15 cant in conducting programs or ongo-
 16 ing efforts designed to impart or up-
 17 grade the business skills of current or
 18 potential owners of Native American
 19 small business concerns;

20 “(II) the ability of the applicant
 21 to commence a project within a min-
 22 imum amount of time;

23 “(III) the ability of the applicant
 24 to provide quality training and serv-

1 ices to a significant number of Native
2 Americans;

3 “(IV) previous assistance from
4 the Administration to provide services
5 in Native American communities; and

6 “(V) the proposed location for
7 the Native American business center
8 site, with priority given based on the
9 proximity of the center to the popu-
10 lation being served and to achieve a
11 broad geographic dispersion of the
12 centers.

13 “(6) PROGRAM EXAMINATION.—

14 “(A) IN GENERAL.—Each Native Amer-
15 ican business center established pursuant to
16 this subsection shall annually provide the Ad-
17 ministration with an itemized cost breakdown of
18 actual expenditures incurred during the pre-
19 ceding year.

20 “(B) ADMINISTRATION ACTION.—Based on
21 information received under subparagraph (A),
22 the Administration shall—

23 “(i) develop and implement an annual
24 programmatic and financial examination of

each Native American business center assisted pursuant to this subsection; and

“(ii) analyze the results of each examination conducted under clause (i) to determine the programmatic and financial viability of each Native American business center.

“(C) CONDITIONS FOR CONTINUED FUNDING.—In determining whether to renew a grant, contract, or cooperative agreement with a Native American business center, the Administration—

“(i) shall consider the results of the most recent examination of the center under subparagraph (B), and, to a lesser extent, previous examinations; and

“(ii) may withhold such renewal, if the Administration determines that—

“(I) the center has failed to provide adequate information required to be provided under subparagraph (A), or the information provided by the center is inadequate; or

“(II) the center has failed to provide adequate information required to

1 be provided by the center for purposes
2 of the report of the Administration
3 under subparagraph (E).

4 “(D) CONTINUING CONTRACT AND COOP-
5 ERATIVE AGREEMENT AUTHORITY.—

6 “(i) IN GENERAL.—The authority of
7 the Administrator to enter into contracts
8 or cooperative agreements in accordance
9 with this subsection shall be in effect for
10 each fiscal year only to the extent and in
11 the amounts as are provided in advance in
12 appropriations Acts.

13 “(ii) RENEWAL.—After the Adminis-
14 trator has entered into a contract or coop-
15 erative agreement with any Native Amer-
16 ican business center under this subsection,
17 it shall not suspend, terminate, or fail to
18 renew or extend any such contract or coop-
19 erative agreement unless the Administrator
20 provides the center with written notifica-
21 tion setting forth the reasons therefore and
22 affords the center an opportunity for a
23 hearing, appeal, or other administrative
24 proceeding under chapter 5 of title 5,
25 United States Code.

1 “(E) MANAGEMENT REPORT.—

2 “(i) IN GENERAL.—The Administra-
 3 tion shall prepare and submit to the Com-
 4 mittee on Small Business and Entrepre-
 5 neurship of the Senate and the Committee
 6 on Small Business of the House of Rep-
 7 resentatives an annual report on the effec-
 8 tiveness of all projects conducted by Native
 9 American business centers under this sub-
 10 section and any pilot programs adminis-
 11 tered by the Office of Native American Af-
 12 fairs.

13 “(ii) CONTENTS.—Each report sub-
 14 mitted under clause (i) shall include, with
 15 respect to each Native American business
 16 center receiving financial assistance under
 17 this subsection—

18 “(I) the number of individuals re-
 19 ceiving assistance from the Native
 20 American business center;

21 “(II) the number of startup busi-
 22 ness concerns created;

23 “(III) the number of existing
 24 businesses seeking to expand employ-
 25 ment;

1 “(IV) jobs created or maintained,
2 on an annual basis, by Native Amer-
3 ican small business concerns assisted
4 by the center since receiving funding
5 under this Act;

6 “(V) to the maximum extent
7 practicable, the capital investment and
8 loan financing utilized by emerging
9 and expanding businesses that were
10 assisted by a Native American busi-
11 ness center; and

12 “(VI) the most recent examina-
13 tion, as required under subparagraph
14 (B), and the subsequent determina-
15 tion made by the Administration
16 under that subparagraph.

17 “(7) ANNUAL REPORT.—Each entity receiving
18 financial assistance under this subsection shall annu-
19 ally report to the Administration on the services pro-
20 vided with such financial assistance, including—

21 “(A) the number of individuals assisted,
22 categorized by ethnicity;

23 “(B) the number of hours spent providing
24 counseling and training for those individuals;

1 “(C) the number of startup small business
2 concerns created or maintained;

3 “(D) the gross receipts of assisted small
4 business concerns;

5 “(E) the number of jobs created or main-
6 tained at assisted small business concerns; and

7 “(F) the number of Native American jobs
8 created or maintained at assisted small business
9 concerns.

10 “(8) RECORD RETENTION.—

11 “(A) APPLICATIONS.—The Administration
12 shall maintain a copy of each application sub-
13 mitted under this subsection for not less than
14 7 years.

15 “(B) ANNUAL REPORTS.—The Administra-
16 tion shall maintain copies of the information
17 collected under paragraph (6)(A) indefinitely.

18 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated \$5,000,000 for each of
20 the fiscal years 2008 through 2010, to carry out the Na-
21 tive American Small Business Development Program, au-
22 thorized under subsection (c).”.

23 **SEC. 403. PILOT PROGRAMS.**

24 “(a) DEFINITIONS.—In this section:

1 (1) INCORPORATION BY REFERENCE.—The
 2 terms defined in section 37(a) of the Small Business
 3 Act (as added by this title) have the same meanings
 4 as in that section 37(a) when used in this section.

5 (2) JOINT PROJECT.—The term “joint project”
 6 means the combined resources and expertise of 2 or
 7 more distinct entities at a physical location dedi-
 8 cated to assisting the Native American community.

9 (b) NATIVE AMERICAN DEVELOPMENT GRANT PILOT
 10 PROGRAM.—

11 (1) AUTHORIZATION.—

12 (A) IN GENERAL.—There is established a
 13 4-year pilot program under which the Adminis-
 14 tration is authorized to award Native American
 15 development grants to provide culturally tai-
 16 lored business development training and related
 17 services to Native Americans and Native Amer-
 18 ican small business concerns.

19 (B) ELIGIBLE ORGANIZATIONS.—The
 20 grants authorized under subparagraph (A) may
 21 be awarded to—

22 (i) any small business development
 23 center; or

24 (ii) any private, nonprofit organization
 25 that—

1 (I) has members of an Indian
2 tribe comprising a majority of its
3 board of directors;

4 (II) is a Native Hawaiian Orga-
5 nization; or

6 (III) is an Alaska Native cor-
7 poration.

8 (C) AMOUNTS.—The Administration shall
9 not award a grant under this subsection in an
10 amount which exceeds \$100,000 for each year
11 of the project.

12 (D) GRANT DURATION.—Each grant under
13 this subsection shall be awarded for not less
14 than a 2-year period and not more than a 4-
15 year period.

16 (2) CONDITIONS FOR PARTICIPATION.—Each
17 entity desiring a grant under this subsection shall
18 submit an application to the Administration that
19 contains—

20 (A) a certification that the applicant—

21 (i) is a small business development
22 center or a private, nonprofit organization
23 under paragraph (1)(B);

1 (ii) employs an executive director or
2 program manager to manage the facility;
3 and

4 (iii) agrees—

5 (I) to a site visit as part of the
6 final selection process;

7 (II) to an annual programmatic
8 and financial examination; and

9 (III) to the maximum extent
10 practicable, to remedy any problems
11 identified pursuant to that site visit or
12 examination;

13 (B) information demonstrating that the
14 applicant has the ability and resources to meet
15 the needs, including cultural needs, of the Na-
16 tive Americans to be served by the grant;

17 (C) information relating to proposed assist-
18 ance that the grant will provide, including—

19 (i) the number of individuals to be as-
20 sisted; and

21 (ii) the number of hours of counseling,
22 training, and workshops to be provided;

23 (D) information demonstrating the effec-
24 tive experience of the applicant in—

1 (i) conducting financial, management,
2 and marketing assistance programs de-
3 signed to impart or upgrade the business
4 skills of current or prospective Native
5 American business owners;

6 (ii) providing training and services to
7 a representative number of Native Ameri-
8 cans;

9 (iii) using resource partners of the
10 Administration and other entities, includ-
11 ing universities, tribal governments, or
12 tribal colleges; and

13 (iv) the prudent management of fi-
14 nances and staffing;

15 (E) the location where the applicant will
16 provide training and services to Native Ameri-
17 cans; and

18 (F) a multiyear plan, corresponding to the
19 length of the grant, that describes—

20 (i) the number of Native Americans
21 and Native American small business con-
22 cerns to be served by the grant;

23 (ii) in the continental United States,
24 the number of Native Americans to be
25 served by the grant; and

1 (iii) the training and services to be
 2 provided to a representative number of Na-
 3 tive Americans.

4 (3) REVIEW OF APPLICATIONS.—The Adminis-
 5 tration shall—

6 (A) evaluate and rank applicants under
 7 paragraph (2) in accordance with predeter-
 8 mined selection criteria that is stated in terms
 9 of relative importance;

10 (B) include such criteria in each solicita-
 11 tion under this subsection and make such infor-
 12 mation available to the public; and

13 (C) approve or disapprove each completed
 14 application submitted under this subsection not
 15 later than 60 days after the date of submission.

16 (4) ANNUAL REPORT.—Each recipient of a Na-
 17 tive American development grant under this sub-
 18 section shall annually report to the Administration
 19 on the impact of the grant funding, including—

20 (A) the number of individuals assisted, cat-
 21 egorized by ethnicity;

22 (B) the number of hours spent providing
 23 counseling and training for those individuals;

1 (C) the number of startup small business
 2 concerns created or maintained with assistance
 3 from a Native American business center;

4 (D) the gross receipts of assisted small
 5 business concerns;

6 (E) the number of jobs created or main-
 7 tained at assisted small business concerns; and

8 (F) the number of Native American jobs
 9 created or maintained at assisted small business
 10 concerns.

11 (5) RECORD RETENTION.—

12 (A) APPLICATIONS.—The Administration
 13 shall maintain a copy of each application sub-
 14 mitted under this subsection for not less than
 15 7 years.

16 (B) ANNUAL REPORTS.—The Administra-
 17 tion shall maintain copies of the information
 18 collected under paragraph (4) indefinitely.

19 (c) AMERICAN INDIAN TRIBAL ASSISTANCE CENTER
 20 GRANT PILOT PROGRAM.—

21 (1) AUTHORIZATION.—

22 (A) IN GENERAL.—There is established a
 23 4-year pilot program, under which the Adminis-
 24 tration shall award not less than 3 American
 25 Indian Tribal Assistance Center grants to es-

1 tablish joint projects to provide culturally tai-
2 lored business development assistance to pro-
3 spective and current owners of small business
4 concerns located on or near tribal lands.

5 (B) ELIGIBLE ORGANIZATIONS.—

6 (i) CLASS 1.—Not fewer than 1 grant
7 shall be awarded to a joint project per-
8 formed by a Native American business cen-
9 ter, a Native American business develop-
10 ment center, and a small business develop-
11 ment center.

12 (ii) CLASS 2.—Not fewer than 2
13 grants shall be awarded to joint projects
14 performed by a Native American business
15 center and a Native American business de-
16 velopment center.

17 (C) AMOUNTS.—The Administration shall
18 not award a grant under this subsection in an
19 amount which exceeds \$200,000 for each year
20 of the project.

21 (D) GRANT DURATION.—Each grant under
22 this subsection shall be awarded for a 3-year
23 period.

24 (2) CONDITIONS FOR PARTICIPATION.—Each
25 entity desiring a grant under this subsection shall

1 submit to the Administration a joint application that
2 contains—

3 (A) a certification that each participant of
4 the joint application—

5 (i) is either a Native American busi-
6 ness center, a Native American business
7 development center, or a small business de-
8 velopment center;

9 (ii) employs an executive director or
10 program manager to manage the center;
11 and

12 (iii) as a condition of receiving an
13 American Indian Tribal Assistance Center
14 grant, agrees—

15 (I) to an annual programmatic
16 and financial examination; and

17 (II) to the maximum extent prac-
18 ticable, to remedy any problems iden-
19 tified pursuant to that examination;

20 (B) information demonstrating an historic
21 commitment to providing assistance to Native
22 Americans—

23 (i) residing on or near tribal lands; or

24 (ii) operating a small business concern
25 on or near tribal lands;

1 (C) information demonstrating that each
2 participant of the joint application has the abil-
3 ity and resources to meet the needs, including
4 the cultural needs, of the Native Americans to
5 be served by the grant;

6 (D) information relating to proposed as-
7 sistance that the grant will provide, including—

8 (i) the number of individuals to be as-
9 sisted; and

10 (ii) the number of hours of counseling,
11 training, and workshops to be provided;

12 (E) information demonstrating the effec-
13 tive experience of each participant of the joint
14 application in—

15 (i) conducting financial, management,
16 and marketing assistance programs, de-
17 signed to impart or upgrade the business
18 skills of current or prospective Native
19 American business owners; and

20 (ii) the prudent management of fi-
21 nances and staffing; and

22 (F) a plan for the length of the grant, that
23 describes—

1 (i) the number of Native Americans
2 and Native American small business con-
3 cerns to be served by the grant; and

4 (ii) the training and services to be
5 provided.

6 (3) REVIEW OF APPLICATIONS.—The Adminis-
7 tration shall—

8 (A) evaluate and rank applicants under
9 paragraph (2) in accordance with predeter-
10 mined selection criteria that is stated in terms
11 of relative importance;

12 (B) include such criteria in each solicita-
13 tion under this subsection and make such infor-
14 mation available to the public; and

15 (C) approve or disapprove each application
16 submitted under this subsection not later than
17 60 days after the date of submission.

18 (4) ANNUAL REPORT.—Each recipient of an
19 American Indian tribal assistance center grant
20 under this subsection shall annually report to the
21 Administration on the impact of the grant funding
22 received during the reporting year, and the cumu-
23 lative impact of the grant funding received since the
24 initiation of the grant, including—

1 (A) the number of individuals assisted, cat-
2 egorized by ethnicity;

3 (B) the number of hours of counseling and
4 training provided and workshops conducted;

5 (C) the number of startup business con-
6 cerns created or maintained with assistance
7 from a Native American business center;

8 (D) the gross receipts of assisted small
9 business concerns;

10 (E) the number of jobs created or main-
11 tained at assisted small business concerns; and

12 (F) the number of Native American jobs
13 created or maintained at assisted small business
14 concerns.

15 (5) RECORD RETENTION.—

16 (A) APPLICATIONS.—The Administration
17 shall maintain a copy of each application sub-
18 mitted under this subsection for not less than
19 7 years.

20 (B) ANNUAL REPORTS.—The Administra-
21 tion shall maintain copies of the information
22 collected under paragraph (4) indefinitely.

23 (d) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated—

1 (1) \$1,000,000 for each of fiscal years 2008
 2 through 2010, to carry out the Native American De-
 3 velopment Grant Pilot Program, authorized under
 4 subsection (b); and

5 (2) \$1,000,000 for each of fiscal years 2008
 6 through 2010, to carry out the American Indian
 7 Tribal Assistance Center Grant Pilot Program, au-
 8 thorized under subsection (c).

9 **TITLE V—NATIONAL SMALL**
 10 **BUSINESS REGULATORY AS-**
 11 **SISTANCE**

12 **SEC. 501. SHORT TITLE.**

13 This title may be cited as the “National Small Busi-
 14 ness Regulatory Assistance Act of 2007”.

15 **SEC. 502. PURPOSE.**

16 The purpose of this title is to establish a 4-year pilot
 17 program to—

18 (1) provide confidential assistance to small
 19 business concerns;

20 (2) provide small business concerns with the in-
 21 formation necessary to improve their rate of compli-
 22 ance with Federal and State regulations derived
 23 from Federal law;

1 (3) create a partnership among Federal agen-
 2 cies to increase outreach efforts to small business
 3 concerns with respect to regulatory compliance;

4 (4) provide a mechanism for unbiased feedback
 5 to Federal agencies on the regulatory environment
 6 for small business concerns; and

7 (5) expand the services delivered by the small
 8 business development centers under section
 9 21(c)(3)(H) of the Small Business Act to improve
 10 access to programs to assist small business concerns
 11 with regulatory compliance.

12 **SEC. 503. SMALL BUSINESS REGULATORY ASSISTANCE**
 13 **PILOT PROGRAM.**

14 (a) DEFINITIONS.—In this section:

15 (1) ASSOCIATION.—The term “association”
 16 means the association established pursuant to sec-
 17 tion 21(a)(3)(A) of the Small Business Act (15
 18 U.S.C. 648(a)(3)(A)) representing a majority of
 19 small business development centers.

20 (2) PARTICIPATING SMALL BUSINESS DEVELOP-
 21 MENT CENTER.—The term “participating small
 22 business development center” means a small busi-
 23 ness development center participating in the pilot
 24 program established under this title.

1 (3) REGULATORY COMPLIANCE ASSISTANCE.—

2 The term “regulatory compliance assistance” means
3 assistance provided by a small business development
4 center to a small business concern to assist and fa-
5 cilitate the concern in complying with Federal and
6 State regulatory requirements derived from Federal
7 law.

8 (4) SMALL BUSINESS DEVELOPMENT CEN-

9 TER.—The term “small business development cen-
10 ter” means a small business development center de-
11 scribed in section 21 of the Small Business Act (15
12 U.S.C. 648).

13 (5) STATE.—The term “State” means each of
14 the several States, the District of Columbia, the
15 Commonwealth of Puerto Rico, the Virgin Islands,
16 American Samoa, and Guam.

17 (b) AUTHORITY.—In accordance with this section,
18 the Administrator shall establish a pilot program to pro-
19 vide regulatory compliance assistance to small business
20 concerns through participating small business develop-
21 ment centers.

22 (c) SMALL BUSINESS DEVELOPMENT CENTERS.—

23 (1) IN GENERAL.—In carrying out the pilot
24 program established under this section, the Adminis-
25 trator shall enter into arrangements with partici-

1 pating small business development centers under
2 which such centers shall—

3 (A) provide access to information and re-
4 sources, including current Federal and State
5 nonpunitive compliance and technical assistance
6 programs similar to those established under
7 section 507 of the Clean Air Act Amendments
8 of 1990 (42 U.S.C. 7661f);

9 (B) conduct training and educational ac-
10 tivities;

11 (C) offer confidential, free of charge, one-
12 on-one, in-depth counseling to the owners and
13 operators of small business concerns regarding
14 compliance with Federal and State regulations
15 derived from Federal law, provided that such
16 counseling is not considered to be the practice
17 of law in a State in which a small business de-
18 velopment center is located or in which such
19 counseling is conducted;

20 (D) provide technical assistance;

21 (E) give referrals to experts and other pro-
22 viders of compliance assistance who meet such
23 standards for educational, technical, and profes-
24 sional competency as are established by the Ad-
25 ministrator; and

1 (F) form partnerships with Federal compli-
2 ance programs.

3 (2) REPORTS.—Each participating small busi-
4 ness development center shall transmit to the Ad-
5 ministrator and the Chief Counsel for Advocacy of
6 the Administration, as the Administrator may direct,
7 a quarterly report that includes—

8 (A) a summary of the regulatory compli-
9 ance assistance provided by the center under
10 the pilot program;

11 (B) the number of small business concerns
12 assisted under the pilot program; and

13 (C) for every fourth report, any regulatory
14 compliance information based on Federal law
15 that a Federal or State agency has provided to
16 the center during the preceding year and re-
17 quested that it be disseminated to small busi-
18 ness concerns.

19 (d) ELIGIBILITY.—A small business development cen-
20 ter shall be eligible to receive assistance under the pilot
21 program established under this section only if such center
22 is certified under section 21(k)(2) of the Small Business
23 Act (15 U.S.C. 648(k)(2)).

24 (e) SELECTION OF PARTICIPATING SMALL BUSINESS
25 DEVELOPMENT CENTERS.—

1 (1) GROUPINGS.—

2 (A) CONSULTATION.—The Administrator
3 shall select the small business development cen-
4 ter programs of 2 States from each of the
5 groups of States described in subparagraph (B)
6 to participate in the pilot program established
7 under this section.

8 (B) GROUPS.—The groups described in
9 this subparagraph as follows:

10 (i) GROUP 1.—Group 1 shall consist
11 of Maine, Massachusetts, New Hampshire,
12 Connecticut, Vermont, and Rhode Island.

13 (ii) GROUP 2.—Group 2 shall consist
14 of New York, New Jersey, Puerto Rico,
15 and the Virgin Islands.

16 (iii) GROUP 3.—Group 3 shall consist
17 of Pennsylvania, Maryland, West Virginia,
18 Virginia, the District of Columbia, and
19 Delaware.

20 (iv) GROUP 4.—Group 4 shall consist
21 of Georgia, Alabama, North Carolina,
22 South Carolina, Mississippi, Florida, Ken-
23 tucky, and Tennessee.

1 (v) GROUP 5.—Group 5 shall consist
2 of Illinois, Ohio, Michigan, Indiana, Wis-
3 consin, and Minnesota.

4 (vi) GROUP 6.—Group 6 shall consist
5 of Texas, New Mexico, Arkansas, Okla-
6 homa, and Louisiana.

7 (vii) GROUP 7.—Group 7 shall consist
8 of Missouri, Iowa, Nebraska, and Kansas.

9 (viii) GROUP 8.—Group 8 shall consist
10 of Colorado, Wyoming, North Dakota,
11 South Dakota, Montana, and Utah.

12 (ix) GROUP 9.—Group 9 shall consist
13 of California, Guam, American Samoa,
14 Hawaii, Nevada, and Arizona.

15 (x) GROUP 10.—Group 10 shall con-
16 sist of Washington, Alaska, Idaho, and Or-
17 egon.

18 (2) DEADLINE FOR SELECTION.—The Adminis-
19 trator shall make selections under this subsection
20 not later than 6 months after the date of publication
21 of final regulations under section 1704.

22 (f) MATCHING REQUIREMENT.—Subparagraphs (A)
23 and (B) of section 21(a)(4) of the Small Business Act (15
24 U.S.C. 648(a)(4)) shall apply to assistance made available
25 under the pilot program established under this section.

1 (g) GRANT AMOUNTS.—Each State program selected
 2 to receive a grant under subsection (e) shall be eligible
 3 to receive a grant in an amount equal to—

- 4 (1) not less than \$150,000 per fiscal year; and
- 5 (2) not more than \$300,000 per fiscal year.

6 (h) EVALUATION AND REPORT.—The Comptroller
 7 General of the United States shall—

8 (1) not later than 30 months after the date of
 9 disbursement of the first grant under the pilot pro-
 10 gram established under this section, initiate an eval-
 11 uation of the pilot program; and

12 (2) not later than 6 months after the date of
 13 the initiation of the evaluation under paragraph (1),
 14 transmit to the Administrator, the Chief Counsel for
 15 Advocacy, the Committee on Small Business and
 16 Entrepreneurship of the Senate, and the Committee
 17 on Small Business of the House of Representatives,
 18 a report containing—

19 (A) the results of the evaluation; and

20 (B) any recommendations as to whether
 21 the pilot program, with or without modification,
 22 should be extended to include the participation
 23 of all small business development centers.

24 (i) POSTING OF INFORMATION.—Not later than 90
 25 days after the date of enactment of this Act, the Adminis-

1 trator shall post on the website of the Administration and
2 publish in the Federal Register a guidance document de-
3 scribing the requirements of an application for assistance
4 under this section.

5 (j) AUTHORIZATION OF APPROPRIATIONS.—

6 (1) IN GENERAL.—There are authorized to be
7 appropriated to carry out this section—

8 (A) \$5,000,000 for the first fiscal year be-
9 ginning after the date of enactment of this Act;
10 and

11 (B) \$5,000,000 for each of the 3 fiscal
12 years following the fiscal year described in sub-
13 paragraph (A).

14 (2) LIMITATION ON USE OF OTHER FUNDS.—

15 The Administrator may carry out the pilot program
16 established under this section only with amounts ap-
17 propriated in advance specifically to carry out this
18 section.

19 (k) TERMINATION.—The Small Business Regulatory
20 Assistance Pilot Program established under this section
21 shall terminate 4 years after the date of disbursement of
22 the first grant under the pilot program.

23 **SEC. 504. RULEMAKING.**

24 After providing notice and an opportunity for com-
25 ment, and after consulting with the association (but not

1 later than 180 days after the date of enactment of this
 2 Act), the Administrator shall promulgate final regulations
 3 to carry out this title, including regulations that estab-
 4 lish—

5 (1) priorities for the types of assistance to be
 6 provided under the pilot program established under
 7 this title;

8 (2) standards relating to educational, technical,
 9 and support services to be provided by participating
 10 small business development centers;

11 (3) standards relating to any national service
 12 delivery and support function to be provided by the
 13 association under the pilot program;

14 (4) standards relating to any work plan that
 15 the Administrator may require a participating small
 16 business development center to develop; and

17 (5) standards relating to the educational, tech-
 18 nical, and professional competency of any expert or
 19 other assistance provider to whom a small business
 20 concern may be referred for compliance assistance
 21 under the pilot program.

22 **TITLE VI—OTHER PROVISIONS**

23 **SEC. 601. MINORITY ENTREPRENEURSHIP AND INNOVA-** 24 **TION PILOT PROGRAM.**

25 (a) DEFINITIONS.—In this section—

1 (1) the terms “Alaska Native-serving institu-
 2 tion” and “Native Hawaiian-serving institution”
 3 have the meanings given those terms in section 317
 4 of the Higher Education Act of 1965 (20 U.S.C.
 5 1059d);

6 (2) the term “Hispanic serving institution” has
 7 the meaning given the term in section 502 of the
 8 Higher Education Act of 1965 (20 U.S.C. 1101a);

9 (3) the term “historically Black college and uni-
 10 versity” has the meaning given the term “part B in-
 11 stitution” in section 322 of the Higher Education
 12 Act of 1965 (20 U.S.C. 1061);

13 (4) the term “small business development cen-
 14 ter” has the same meaning as in section 21 of the
 15 Small Business Act (15 U.S.C. 648); and

16 (5) the term “Tribal College” has the meaning
 17 given the term “tribally controlled college or univer-
 18 sity” in section 2 of the Tribally Controlled College
 19 or University Assistance Act of 1978 (25 U.S.C.
 20 1801).

21 (b) MINORITY ENTREPRENEURSHIP AND INNOVA-
 22 TION GRANTS.—

23 (1) IN GENERAL.—The Administrator shall
 24 make grants to historically Black colleges and uni-
 25 versities, Tribal Colleges, Hispanic serving institu-

1 tions, Alaska Native-serving institutions, and Native
2 Hawaiian-serving institutions, or to any entity
3 formed by a combination of such institutions—

4 (A) to assist in establishing an entrepre-
5 neurship curriculum for undergraduate or grad-
6 uate studies; and

7 (B) for placement of small business devel-
8 opment centers on the physical campus of the
9 institution.

10 (2) CURRICULUM REQUIREMENT.—An institu-
11 tion of higher education receiving a grant under this
12 subsection shall develop a curriculum that includes
13 training in various skill sets needed by successful en-
14 trepreneurs, including—

15 (A) business management and marketing,
16 financial management and accounting, market
17 analysis and competitive analysis, innovation
18 and strategic planning; and

19 (B) additional entrepreneurial skill sets
20 specific to the needs of the student population
21 and the surrounding community, as determined
22 by the institution.

23 (3) SMALL BUSINESS DEVELOPMENT CENTER
24 REQUIREMENT.—Each institution receiving a grant

1 under this subsection shall open a small business de-
2 velopment center that—

3 (A) performs studies, research, and coun-
4 seling concerning the management, financing,
5 and operation of small business concerns;

6 (B) performs management training and
7 technical assistance regarding the participation
8 of small business concerns in international mar-
9 kets, export promotion and technology transfer,
10 and the delivery or distribution of such services
11 and information;

12 (C) offers referral services for entre-
13 preneurs and small business concerns to busi-
14 ness development, financing, and legal experts;
15 and

16 (D) promotes market-specific innovation,
17 niche marketing, capacity building, inter-
18 national trade, and strategic planning as keys
19 to long-term growth for its small business con-
20 cern and entrepreneur clients.

21 (4) GRANT LIMITATIONS.—A grant under this
22 subsection—

23 (A) may not exceed \$500,000 for any fis-
24 cal year for any 1 institution of higher edu-
25 cation;

1 (B) may not be used for any purpose other
2 than those associated with the direct costs in-
3 curred to develop and implement a curriculum
4 that fosters entrepreneurship and the costs in-
5 curred to organize and run a small business de-
6 velopment center on the grounds of the institu-
7 tion; and

8 (C) may not be used for building expenses,
9 administrative travel budgets, or other expenses
10 not directly related to the implementation of the
11 curriculum or activities authorized by this sec-
12 tion.

13 (5) EXCEPTION FROM SMALL BUSINESS ACT
14 REQUIREMENT.—Subparagraphs (A) and (B) of sec-
15 tion 21(a)(4) of the Small Business Act (15 U.S.C.
16 648(a)(4)) do not apply to assistance made available
17 under this subsection.

18 (6) REPORT.—Not later than November 1 of
19 each year, the Associate Administrator of Entrepre-
20 neurial Development of the Administration shall sub-
21 mit to the Committee on Small Business and Entre-
22 preneurship of the Senate and the Committee on
23 Small Business of the House of Representatives, a
24 report evaluating the award and use of grants under

1 this subsection during the preceding fiscal year,
 2 which shall include—

3 (A) a description of each entrepreneurship
 4 program developed with grant funds, the date
 5 of the award of such grant, and the number of
 6 participants in each such program;

7 (B) the number of small business concerns
 8 assisted by each small business development
 9 center established with a grant under this sub-
 10 section; and

11 (C) data regarding the economic impact of
 12 the small business development center coun-
 13 seling provided under a grant under this sub-
 14 section.

15 (c) **AUTHORIZATION OF APPROPRIATIONS.**—There is
 16 authorized to be appropriated to carry out this section
 17 \$10,000,000, to remain available until expended, for each
 18 of fiscal years 2008 and 2010.

19 (d) **LIMITATION ON USE OF OTHER FUNDS.**—The
 20 Administrator shall carry out this section only with
 21 amounts appropriated in advance specifically to carry out
 22 this section.

23 **SEC. 602. INSTITUTIONS OF HIGHER EDUCATION.**

24 (a) **IN GENERAL.**—Section 21(a)(1) of the Small
 25 Business Act (15 U.S.C. 648(a)(1)) is amended by strik-

1 ing “: *Provided, That*” and all that follows through “on
 2 such date.” and inserting the following: “On and after De-
 3 cember 31, 2007, the Administration may only make a
 4 grant under this paragraph to an applicant that is an in-
 5 stitution of higher education, as defined in section 101(a)
 6 of the Higher Education Act of 1965 (20 U.S.C. 1001(a))
 7 that is accredited (and not merely in preaccreditation sta-
 8 tus) by a nationally recognized accrediting agency or asso-
 9 ciation, recognized by the Secretary of Education for such
 10 purpose in accordance with section 496 of that Act (20
 11 U.S.C. 1099b), or to a women’s business center operating
 12 pursuant to section 29 as a small business development
 13 center, unless the applicant was receiving a grant (includ-
 14 ing a contract or cooperative agreement) on December 31,
 15 2007.”.

16 (b) EFFECTIVE DATE.—The amendment made by
 17 subsection (a) shall take effect on December 31, 2007.

18 **SEC. 603. HEALTH INSURANCE OPTIONS INFORMATION FOR**
 19 **SMALL BUSINESS CONCERNS.**

20 (a) DEFINITIONS.—In this section, the following defi-
 21 nitions shall apply:

22 (1) ASSOCIATION.—The term “association”
 23 means an association established under section
 24 21(a)(3)(A) of the Small Business Act (15 U.S.C.

1 648(a)(3)(A)) representing a majority of small busi-
 2 ness development centers.

3 (2) PARTICIPATING SMALL BUSINESS DEVELOP-
 4 MENT CENTER.—The term “participating small
 5 business development center” means a small busi-
 6 ness development center described in section 21 of
 7 the Small Business Act (15 U.S.C. 648) that—

8 (A) is certified under section 21(k)(2) of
 9 the Small Business Act (15 U.S.C. 648(k)(2));
 10 and

11 (B) receives a grant under the pilot pro-
 12 gram.

13 (3) PILOT PROGRAM.—The term “pilot pro-
 14 gram” means the small business health insurance in-
 15 formation pilot program established under this sec-
 16 tion.

17 (4) STATE.—The term “State” means each of
 18 the several States of the United States, the District
 19 of Columbia, the Commonwealth of Puerto Rico, the
 20 Virgin Islands, American Samoa, and Guam.

21 (b) SMALL BUSINESS HEALTH INSURANCE INFOR-
 22 MATION PILOT PROGRAM.—The Administrator shall es-
 23 tablish a pilot program to make grants to small business
 24 development centers to provide neutral and objective infor-
 25 mation and educational materials regarding health insur-

1 ance options, including coverage options within the small
 2 group market, to small business concerns.

3 (c) APPLICATIONS.—

4 (1) POSTING OF INFORMATION.—Not later than
 5 90 days after the date of enactment of this Act, the
 6 Administrator shall post on the website of the Ad-
 7 ministration and publish in the Federal Register a
 8 guidance document describing—

9 (A) the requirements of an application for
 10 a grant under the pilot program; and

11 (B) the types of informational and edu-
 12 cational materials regarding health insurance
 13 options to be created under the pilot program,
 14 including by referencing materials and re-
 15 sources developed by the National Association
 16 of Insurance Commissioners, the Kaiser Family
 17 Foundation, and the Healthcare Leadership
 18 Council.

19 (2) SUBMISSION.—A small business develop-
 20 ment center desiring a grant under the pilot pro-
 21 gram shall submit an application at such time, in
 22 such manner, and accompanied by such information
 23 as the Administrator may reasonably require.

24 (d) SELECTION OF PARTICIPATING SMALL BUSINESS
 25 DEVELOPMENT CENTERS.—

1 (1) IN GENERAL.—The Administrator shall se-
2 lect not more than 20 small business development
3 centers to receive a grant under the pilot program.

4 (2) SELECTION OF PROGRAMS.—In selecting
5 small business development centers under paragraph
6 (1), the Administrator may not select—

7 (A) more than 2 programs from each of
8 the groups of States described in paragraph
9 (3); and

10 (B) more than 1 program in any State.

11 (3) GROUPINGS.—The groups of States de-
12 scribed in this paragraph are the following:

13 (A) GROUP 1.—Group 1 shall consist of
14 Maine, Massachusetts, New Hampshire, Con-
15 necticut, Vermont, and Rhode Island.

16 (B) GROUP 2.—Group 2 shall consist of
17 New York, New Jersey, Puerto Rico, and the
18 Virgin Islands.

19 (C) GROUP 3.—Group 3 shall consist of
20 Pennsylvania, Maryland, West Virginia, Vir-
21 ginia, the District of Columbia, and Delaware.

22 (D) GROUP 4.—Group 4 shall consist of
23 Georgia, Alabama, North Carolina, South Caro-
24 lina, Mississippi, Florida, Kentucky, and Ten-
25 nessee.

1 (E) GROUP 5.—Group 5 shall consist of Il-
2 linois, Ohio, Michigan, Indiana, Wisconsin, and
3 Minnesota.

4 (F) GROUP 6.—Group 6 shall consist of
5 Texas, New Mexico, Arkansas, Oklahoma, and
6 Louisiana.

7 (G) GROUP 7.—Group 7 shall consist of
8 Missouri, Iowa, Nebraska, and Kansas.

9 (H) GROUP 8.—Group 8 shall consist of
10 Colorado, Wyoming, North Dakota, South Da-
11 kota, Montana, and Utah.

12 (I) GROUP 9.—Group 9 shall consist of
13 California, Guam, American Samoa, Hawaii,
14 Nevada, and Arizona.

15 (J) GROUP 10.—Group 10 shall consist of
16 Washington, Alaska, Idaho, and Oregon.

17 (4) DEADLINE FOR SELECTION.—The Adminis-
18 trator shall make selections under this subsection
19 not later than 6 months after the later of the date
20 on which the information described in subsection
21 (c)(1) is posted on the website of the Administration
22 and the date on which the information described in
23 subsection (c)(1) is published in the Federal Reg-
24 ister.

25 (e) USE OF FUNDS.—

1 (1) IN GENERAL.—A participating small busi-
2 ness development center shall use funds provided
3 under the pilot program to—

4 (A) create and distribute informational
5 materials; and

6 (B) conduct training and educational ac-
7 tivities.

8 (2) CONTENT OF MATERIALS.—

9 (A) IN GENERAL.—In creating materials
10 under the pilot program, a participating small
11 business development center shall evaluate and
12 incorporate relevant portions of existing infor-
13 mational materials regarding health insurance
14 options, including materials and resources de-
15 veloped by the National Association of Insur-
16 ance Commissioners, the Kaiser Family Foun-
17 dation, and the Healthcare Leadership Council.

18 (B) HEALTH INSURANCE OPTIONS.—In in-
19 corporating information regarding health insur-
20 ance options under subparagraph (A), a partici-
21 pating small business development center shall
22 provide neutral and objective information re-
23 garding health insurance options in the geo-
24 graphic area served by the participating small
25 business development center, including tradi-

1 tional employer sponsored health insurance for
 2 the group insurance market, such as the health
 3 insurance options defined in section 2791 of the
 4 Public Health Services Act (42 U.S.C. 300gg–
 5 91) or section 125 of the Internal Revenue
 6 Code of 1986, and Federal and State health in-
 7 surance programs.

8 (f) GRANT AMOUNTS.—Each participating small
 9 business development center program shall receive a grant
 10 in an amount equal to—

- 11 (1) not less than \$150,000 per fiscal year; and
- 12 (2) not more than \$300,000 per fiscal year.

13 (g) MATCHING REQUIREMENT.—Subparagraphs (A)
 14 and (B) of section 21(a)(4) of the Small Business Act (15
 15 U.S.C. 648(a)(4)) shall apply to assistance made available
 16 under the pilot program.

17 (h) REPORTS.—Each participating small business de-
 18 velopment center shall transmit to the Committee on
 19 Small Business and Entrepreneurship of the Senate and
 20 the Committee on Small Business of the House of Rep-
 21 resentatives, a quarterly report that includes—

- 22 (1) a summary of the information and edu-
 23 cational materials regarding health insurance op-
 24 tions provided by the participating small business
 25 development center under the pilot program; and

1 (2) the number of small business concerns as-
2 sisted under the pilot program.

3 (i) AUTHORIZATION OF APPROPRIATIONS.—

4 (1) IN GENERAL.—There are authorized to be
5 appropriated to carry out this section—

6 (A) \$5,000,000 for the first fiscal year be-
7 ginning after the date of enactment of this Act;
8 and

9 (B) \$5,000,000 for each of the 3 fiscal
10 years following the fiscal year described in sub-
11 paragraph (A).

12 (2) LIMITATION ON USE OF OTHER FUNDS.—

13 The Administrator may carry out the pilot program
14 only with amounts appropriated in advance specifi-
15 cally to carry out this section.

16 **SEC. 604. NATIONAL SMALL BUSINESS DEVELOPMENT CEN-**
17 **TER ADVISORY BOARD.**

18 Section 21(i)(1) of the Small Business Act (15
19 U.S.C. 648(i)(1)) is amended by striking “nine members”
20 and inserting “10 members”.

21 **SEC. 605. OFFICE OF NATIVE AMERICAN AFFAIRS PILOT**
22 **PROGRAM.**

23 (a) DEFINITION.—In this section, the term “Indian
24 tribe” means any band, nation, or organized group or
25 community of Indians located in the contiguous United

1 States, and the Metlakatla Indian Community, whose
2 members are recognized as eligible for the services pro-
3 vided to Indians by the Secretary of the Interior because
4 of their status as Indians.

5 (b) AUTHORIZATION.—The Office of Native Amer-
6 ican Affairs of the Administration may conduct a pilot
7 program—

8 (1) to develop and publish a self-assessment
9 tool for Indian tribes that will allow such tribes to
10 evaluate and implement best practices for economic
11 development; and

12 (2) to provide assistance to Indian tribes,
13 through the Inter-Agency Working Group, in identi-
14 fying and implementing economic development op-
15 portunities available from the Federal Government
16 and private enterprise, including—

17 (A) the Administration;

18 (B) the Department of Energy;

19 (C) the Environmental Protection Agency;

20 (D) the Department of Commerce;

21 (E) the Federal Communications Commis-

22 sion;

23 (F) the Department of Justice;

24 (G) the Department of Labor;

1 (H) the Office of National Drug Control
 2 Policy; and

3 (I) the Department of Agriculture.

4 (c) TERMINATION OF PROGRAM.—The authority to
 5 conduct a pilot program under this section shall terminate
 6 on September 30, 2009.

7 (d) REPORT.—Not later than September 30, 2009,
 8 the Office of Native American Affairs shall submit a re-
 9 port to the Committee on Small Business and Entrepre-
 10 neurship of the Senate and the Committee on Small Busi-
 11 ness of the House of Representatives regarding the effec-
 12 tiveness of the self-assessment tool developed under sub-
 13 section (b)(1).

14 **SEC. 606. PRIVACY REQUIREMENTS FOR SCORE CHAPTERS.**

15 Section 8 of the Small Business Act (15 U.S.C. 637)
 16 is amended by inserting after subsection (b) the following

17 “(c) PRIVACY REQUIREMENTS.—

18 “(1) IN GENERAL.—A chapter of the Service
 19 Corps of Retired Executives program authorized by
 20 subsection (b)(1) or an agent of such a chapter may
 21 not disclose the name, address, or telephone number
 22 of any individual or small business concern receiving
 23 assistance from that chapter or agent without the
 24 consent of such individual or small business concern,
 25 unless—

1 “(A) the Administrator is ordered to make
 2 such a disclosure by a court in any civil or
 3 criminal enforcement action initiated by a Fed-
 4 eral or State agency; or

5 “(B) the Administrator considers such a
 6 disclosure to be necessary for the purpose of
 7 conducting a financial audit of a chapter of the
 8 Service Corps of Retired Executives program
 9 authorized by subsection (b)(1), but a disclo-
 10 sure under this subparagraph shall be limited
 11 to the information necessary for such audit.

12 “(2) ADMINISTRATOR USE OF INFORMATION.—

13 This subsection shall not—

14 “(A) restrict Administrator access to pro-
 15 gram activity data; or

16 “(B) prevent the Administrator from using
 17 client information to conduct client surveys.

18 “(3) REGULATIONS.—

19 “(A) IN GENERAL.—The Administrator
 20 shall issue regulations to establish standards—

21 “(i) for disclosures with respect to fi-
 22 nancial audits under paragraph (1)(B);
 23 and

24 “(ii) for client surveys under para-
 25 graph (2)(B), including standards for over-

1 sight of such surveys and for dissemination
2 and use of client information.

3 “(B) MAXIMUM PRIVACY PROTECTION.—
4 Regulations under this paragraph shall, to the
5 extent practicable, provide for the maximum
6 amount of privacy protection.

7 “(C) INSPECTOR GENERAL.—Until the ef-
8 fective date of regulations under this para-
9 graph, any client survey and the use of such in-
10 formation shall be approved by the Inspector
11 General who shall include such approval in the
12 semi-annual report of the Inspector General.”.

13 **SEC. 607. NATIONAL SMALL BUSINESS SUMMIT.**

14 (a) IN GENERAL.—Not later than December 31,
15 2009, the President shall convene a National Small Busi-
16 ness Summit to examine the present conditions and future
17 of the community of small business concerns in the United
18 States. The summit shall include owners of small business
19 concerns, representatives of small business groups, labor,
20 academia, State and Federal government, Federal re-
21 search and development agencies, and nonprofit policy
22 groups concerned with the issues of small business con-
23 cerns.

24 (b) REPORT.—Not later than 90 days after the date
25 of the conclusion of the summit convened under subsection

- 1 (a), the President shall issue a report on the results of
- 2 the summit. The report shall identify key challenges and
- 3 recommendations for promoting entrepreneurship and the
- 4 growth of small business concerns.

